

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: )  
Da Silva Rodrigues et al. )  
Serial No.: 10/581,774 )  
Filed: June 6, 2006 )  
Earliest Priority Filing Date: 11 December 2003 )  
International Filing Date: 10 December 2004 )  
PCT Application No.: PCT/IB2004/004350 )  
For: SMOKING ARTICLE )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF DEATH OF JOINT INVENTOR UNDER MPEP § 409

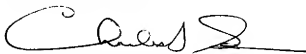
Dear Sirs:

This is notice that one of the joint inventors herein, Antonio Augusto da Silva Rodrigues, is now deceased. Attached are the death certificate and the Statutory Declaration from the second and surviving inventor, Mr. Eduardo José Faria Miranda confirming that subsequent to the signing of the Declaration of Inventorship, Mr. Rodrigues has died.

An Assignment document assigning the invention to Souza Cruz, S.A., the employer of both joint inventors at the time of the filing of the priority application, and executed only by Mr. Miranda, is also being submitted to the U.S. Patent Office, under separate cover, to be recorded with the U.S. Patent Office.

Further prosecution of this application will be undertaken on behalf of the assignee, Souza Cruz, S.A. Please enter this information into the record of the above referenced patent application.

Respectfully submitted,



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Charles I. Sherman, Reg. No. 22,998  
MIDDLETON REUTLINGER  
Ph (502) 625-2745

SMOKING ARTICLE  
Inventor: Da Silva Rodrigues et al.  
Atty.Dkt.: SC3

Date: August 28, 2006

2500 Brown & Williamson Tower  
Louisville, Kentucky 40202  
csherman@middreut.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Miranda et al.

)  
) Examiner: Not Assigned

PCT Serial No. PCT/IB2004/004350

) Unit: Not Assigned

PCT File Date: December 10, 2004

)

U.S. Serial No.: Not Determined Yet

)

U.S. Filing Date: June 6, 2006

)

For: Smoking Article

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Mail Stop PCT

Commissioner for Patents

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Alexandria, VA 22313-1450

**STATUTORY DECLARATION OF SURVIVING INVENTOR**

**Under 28 U.S.C. § 1746, MPEP 602II and 409.01(f)**

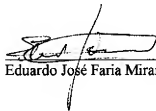
Dear Sirs:

1. My name is Eduardo José Faria Miranda and I am a co-inventor in the above-identified application, together with Antonio Augusto da Silva Rodrigues.
2. Both I and Mr. Rodrigues, at the time this invention was made, were employees of Souza Cruz S.A., a Brazilian company having a post office address at Rua Candália, 66, Rio de Janeiro, Brazil.
3. Both I and Mr. Rodrigues have executed a Declaration of Inventorship under PCT Rules 4.17(iv) and 51bis1(a)(iv) in this application.
4. Subsequent to signing the Declaration of Inventorship, Mr. Rodrigues has died, as confirmed by the attached Atestado de Óbito (or affidavit by a medical doctor).
5. Accordingly, I have signed an individual Assignment of Invention and Letters Patent to Souza Cruz, S.A. as required by the conditions of our employment by that company.

*ER*

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eduardo', is written over a horizontal line. A long, thin vertical stroke extends downwards from the right side of the signature.

Eduardo José Faria Miranda

Executed on 27<sup>th</sup> July, 2006.



REPÚBLICA FEDERATIVA DO BRASIL

**Quinta Circunscrição do Registro Civil das Pessoas Naturais e Tabelionato da Capital do Estado do Rio de Janeiro**

Av. Nossa Senhora de Copacabana, 1.181 A - Copacabana - Rio de Janeiro / RJ - Brasil - CEP 22070-010 - www.quintacircprvj.com.br

*Alan J.S. Borges - Registrador Oficial*

**CERTIDÃO DE ÓBITO**  
**TRASLADO**

CERTIFICO que, no livro 0615-C, as folhas 283, sob número 141367, consta o assento de óbito de ANTONIO AUGUSTO DA SILVA RODRIGUES, falecido no dia doze de fevereiro de dois mil e cinco (12/02/2005), às 11 horas e 30 minutos, no(a) Clínica São Vicente-Gávea, Rio de Janeiro-RJ, residente e domiciliado na Rua Paulo Emilio Gomes, 350-Jacarepagua, Rio de Janeiro, RJ, do sexo masculino, de cor branca, profissão farmacêutico, estado civil casado com Nadia Maria de Almeida Rodrigues, com 52 anos de idade, natural de Portugal. Filho de Manuel Rodrigues e de Maria Emilia da Silva. deixou bens, não era eleitor, testamento desconhecido. Deixou 3 filho(a)(s) maior(es). O atestado de óbito foi firmado pelo Dr. Dante Pagnoncelli CRM Nº 52313613, que deu como causa da morte: insuficiência respiratória, linfangite carcinomatosa pulmonar, metástase óssea e cerebral, câncer de pulmão, com autorização do sepultamento antes das 24 horas pos mortis. Registro feito em quinze de fevereiro de dois mil e cinco (15/02/2005). O sepultamento foi realizado no Cemitério Fechincha. Foi declarante Laura Bezerra Dias Azevedo. Registro feito conforme declaração de óbito nº 06419494. OBSERVAÇÕES: Documentos de identificação do obituário: RG nº 0664704-H RNE.

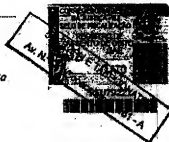
Eu, Gilberto Peralta Pereira, Escrevente, a extraí. O referido é verdade e dou fé.

Rio de Janeiro, 15 de fevereiro de 2005.

\_\_\_\_\_  
Oficial do Registro Civil

Digitado por PERALTA  
SEM EMOLUMENTOS

*Gilberto Peralta Pereira*  
Escrevente Autorizado  
941178-CGJ-RJ



BAIRROS ABANDONADOS: LURDA - BOTAFUM DO CORACAMA - PANDEIRA - LERLEY - MARATÁ - JACIM INSTALADO - LACIA - GÁVEA - POCORÁ - VERNAL - SÃO CONRADO - BARRA DA TIJUCA - RECIFE DOS BANDEIRANTES

COMO MODELO DE AUTENTICAÇÃO OU INSCRIÇÃO DE FALSO, SE ENQUADRA EM ART. 29 DO ART. 235 DO ART. 235 DA CARTA MANDADA, ATRAVÉS DE CONCURSO PÚBLICO DE PROVAS E TÍTULOS.

ASSOCIADO  
ALAN J.S. BORGES - RJ / COLEGIO NOTARIAL



REPÚBLICA FEDERATIVA DO BRASIL  
RICARDO DIMAS RAMOS CARNEIRO

TRADUTOR PÚBLICO E INTERPRETE COMERCIAL

SWORN PUBLIC TRANSLATOR AND COMMERCIAL INTERPRETER

Rua Real Grandeza, 193 ap. 601, Botafogo - Rio de Janeiro - RJ - 22281-035 - Tel: (21) 2539-8617 / 2537-6387  
Matricula JUCERJA nº 166 - RG nº 2.336.245 IFFP - CPF 273.535.757/00 - e-mail: rcardodimas@openlink.com.br

I, the undersigned, a Sworn Public Translator and Commercial Interpreter in and for this City of Rio de Janeiro, State of Rio de Janeiro, Federative Republic of Brazil, duly appointed by Administrative Rule no. 692 of April 11, 2006, issued by the President of the Board of Trade of the State of Rio de Janeiro, DO HEREBY CERTIFY AND ATTEST, that a document written in PORTUGUESE was presented to me for translation into ENGLISH, which I have lawfully performed, by reason of my official capacity, as follows: -----

-----TRANSLATION No. 0047 -----

Arms of the Federative Republic of Brazil -  
FEDERATIVE REPUBLIC OF BRAZIL - EIGHTH CIVIL  
REGISTRY OF INDIVIDUALS OF THE CAPITAL OF THE  
STATE OF RIO DE JANEIRO - Address: Av. N. S.  
Copacabana, 1151, Copacabana, Rio de Janeiro - RJ  
- Brazil --- Alan J. S. Borges - Official  
Registrar - Transcript of a DEATH CERTIFICATE -----

I CERTIFY that, in book 0615-C, on page 283, under  
no. 141367, there appears the entry regarding the  
death of ANTONIO AUGUSTO DA SILVA RODRIGUES,  
deceased on February 12, 2005, at 11:30 AM, at  
Clinic São Vicente (Saint Vincent), in Gávea, Rio  
de Janeiro, RJ, Brazil, resident and domiciled at  
Rua Paulo Emilio Gomes, 350, Jacarepaguá, Rio de  
Janeiro, RJ, Brazil, of male sex, white color,  
pharmacist, married to Nadia Maria de Almeida  
Rodrigues, aged 52, born in Portugal, son of  
Manuel Rodrigues and Maria Emilia da Silva. The





REPÚBLICA FEDERATIVA DO BRASIL  
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Matricula JUCERJA nº 166 - RG nº 2.336.245 IFP - CPF 273.535.757/00 - e-mail: ricardodimas@openlink.com.br

decedent left property. He was not elector and any 'testament and last will' is unknown. The decedent left three (3) children of age. The death certificate was signed by Dr. Dante Pagnoncelli, enrolled with the Regional Council of Medicine under no. 52313613, who attested as *causa mortis*: respiratory insufficiency, pulmonary carcinomatous lymphangitis, osseous and cerebral metastasis, lung cancer, with authorization for burying before elapsed 24 hours after death. Registration made on February 15, 2005. The burial was made at Pechincha Cemetery. Laura Bezerra Dias Azevedo was the declarant. Registration made as per declaration of death no. 06419694. Remarks: Decedent's identification document RG no. 64704-H RNE. -----

I (signature) Gilberto Peralta Pereira, Clerk, prepared this document. IN WITNESS WHEREOF. -----

Rio de Janeiro, February 15, 2005. -----

Signed: Gilberto Peralta Pereira, Authorized Clerk

- Record no. 94/1178-CGJ-RJ -----

No emoluments were charged. -----

THERE APPEARS an obliterated Notarial Seal under no. 79221. -----





REPÚBLICA FEDERATIVA DO BRASIL  
RICARDO DIMAS RAMOS CARNEIRO  
TRADUTOR PÚBLICO E INTÉRPRETE COMERCIAL

SWORN PUBLIC TRANSLATOR and COMMERCIAL INTERPRETER

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Matrícula JUCERJA nº 186 - RG nº 2.338.245 IFP - CPF 273.535.757/00 - e-mail: rcardodimas@openlink.com.br

THE ABOVE was the full text of said document, the translation of which was set forth on 3 (three) pages. -----

IN WITNESS WHEREOF, I set my hand and seal of office in Rio de Janeiro, RJ, Brazil, on July 24, 2006. -----

*Ricardo Dimas Ramos Carneiro*

